

TITLE 4. PROFESSIONS AND OCCUPATIONS
CHAPTER 18. NATUROPATHIC PHYSICIANS BOARD OF MEDICAL EXAMINERS

Supp. 05-2

(Authority: A.R.S. § 32-1501 et seq.)

Editor's Note: The Office of the Secretary of State publishes all Code Chapters on white paper (Supp. 02-3).

Editor's Note: This Chapter contains rules which were adopted under exemptions from the provisions of the Administrative Procedure Act (A.R.S. Title 41, Chapter 6) pursuant to A.R.S. § 41-1005(25). Exemption from A.R.S. Title 41, Chapter 6 means that the Naturopathic Physicians Board of Medical Examiners did not submit these rules to the Governor's Regulatory Review Council for review; the Board did not submit notice of proposed rulemaking to the Secretary of State for publication in the Arizona Administrative Register; the Board was not required to hold public hearings on these rules; and the Attorney General did not certify these rules. Because this Chapter contains rules which are exempt from the regular rulemaking process, the Chapter is printed on blue paper.

Editor's Note: This Chapter has been reprinted due to an error in publishing text that was thought to be adopted and certified but in fact was rejected by the Attorney General on December 29, 1995 (Supp. 95-4). Text removed includes amendments made to R4-18-101 and adoption of Article 2, consisting of Sections R4-18-201 through R4-18-205. Removal of this text reflects the latest effective rules on file with the Office of the Secretary of State last modified Supp. 88-4 (reprinted Supp. 96-4).

Laws 1982, 6th S.S., Chs. 1 and 4 provided for a name change of the Naturopathic Board of Examiners to Naturopathic Physicians Board of Examiners.

ARTICLE 1. GENERAL PROVISIONS

Article 1 consisting of Sections R4-18-101, R4-18-102, R4-18-104, R4-18-106 through R4-18-111, R4-18-116 and R4-18-117 adopted effective December 31, 1984.

Former Article 1 consisting of Sections R4-18-01 through R4-18-07 repealed effective December 31, 1984.

Section

R4-18-101. Definitions

R4-18-102. Board Meetings; Elections; Officers

R4-18-103. Duties of Board Committees

R4-18-104. Repealed

R4-18-105. Reserved

R4-18-106. Rehearing or Review of Decision

R4-18-107. Fees

R4-18-108. Titles, Use of Abbreviations

R4-18-109. Repealed

R4-18-110. Display of Licenses and Certificates; Notice of Change of Status; Student Identification;

R4-18-111. Notice of Civil and Criminal Actions

R4-18-112. Reserved

R4-18-113. Reserved

R4-18-114. Reserved

R4-18-115. Reserved

R4-18-116. Repealed

R4-18-117. Repealed

**ARTICLE 2. LICENSES; SPECIALIST CERTIFICATES; CONTINUING MEDICAL EDUCATION;
RENEWAL**

New Article 2, consisting of Sections R4-18-201 through R4-18-206, made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

Article 2 consisting of Sections R4-18-201 through R4-18-205 has been deleted due to an error in publishing text that was thought to be adopted and certified but in fact was rejected by the Attorney General on December 29, 1995 (Supp. 95-4). Removal of this text reflects the latest effective rules on file with the Office of the Secretary of State last modified Supp. 88-4 (reprinted Supp. 96-4).

Section

R4-18-201. Jurisprudence Examinations

R4-18-202. License by Examination

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R4-18-204. Specialist Certificate

R4-18-205. Continuing Medical Education Requirements

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ARTICLE 4. APPROVAL OF SCHOOLS OF NATUROPATHIC MEDICINE

New Article 4, consisting of Sections R4-18-401 and R4-18-402, made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

Section

R4-18-401. Approval of a School of Naturopathic Medicine

R4-18-402. Annual Renewal of an Approved School of Naturopathic Medicine

ARTICLE 5. NATUROPATHIC CLINICAL TRAINING AND PRECEPTORSHIP TRAINING PROGRAM REQUIREMENTS

New Article 5, consisting of Sections R4-18-501 through R4-18-504, made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

Section

R4-18-501. Certificate to Engage in Clinical or Preceptorship Training

R4-18-502. Annual Renewal of a Certificate to Engage in Clinical or Preceptorship Training

R4-18-503. Application for a Certificate to Conduct a Clinical or Preceptorship Training Program

R4-18-504. Annual Renewal of a Certificate to Conduct a Clinical or Preceptorship Training Program

ARTICLE 6. NATUROPATHIC MEDICAL ASSISTANTS

New Article 6, consisting of Sections R4-18-601 through R4-18-605, made by final rulemaking at 11 A.A.R. 1547, effective June 4, 2005 (Supp. 05-2).

R4-18-601. Definitions

R4-18-602. Medical Assistant Qualification

R4-18-603. Application for Medical Assistant Certification

R4-18-604. Renewal of Medical Assistant Certificate

R4-18-605. Authorized Procedures for Medical Assistants

ARTICLE 7. TIME-FRAMES FOR BOARD DECISIONS

New Article 7, consisting of Sections R4-18-701 and Table 1, made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

Section

R4-18-701. Time-frames for Board Decisions

Table 1. Time-frames

ARTICLE 8. EXPERIMENTAL MEDICINE

New Article 8, consisting of Sections R4-18-801 and R4-18-802, made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

Section

R4-18-801. Experimental Medicine

R4-18-802. Informed Consent and Duty to Follow Protocols

ARTICLE 1. GENERAL PROVISIONS

R4-18-101. Definitions

In addition to the definitions in A.R.S. §§ 32-1501 through 32-1581, the following definitions apply to this Chapter unless otherwise specified:

"Administrative completeness review" means the Board's process for determining that an applicant has provided, or caused to be provided, all of the application packet information and documentation required by statute or rule for an application for a license or a certificate.

"Applicant" means a person requesting from the Board an initial, temporary, or renewal license or certificate.

"Application" or "application packet" means the forms, documents, and information the Board requires to be submitted by an applicant or on behalf of an applicant.

"Approved Specialty College or Program" means any postdoctoral training program that awards a medical specialist certificate and is approved by one of the following;

The Council on Naturopathic Medical Education,

The American Association of Naturopathic Physicians, or

The Arizona Naturopathic Medical Association.

"Chief medical officer" means a physician who is responsible for a clinical, preceptorship, internship, or postdoctoral training program's compliance with state and federal laws, rules, and regulations.

- "Clinical training program" means a clinical training program operated in conjunction with an approved school of naturopathic medicine.
- "Continuing medical education" means courses, seminars, lectures, programs, conferences, and workshops related to subjects listed in A.R.S. § 32-1525(B), that are offered or sanctioned by one of the organizations referenced in R4-18-205 (B).
- "Endorsement" means the procedure for granting a license in this state to an applicant who is currently licensed to practice naturopathic medicine by another state, district, or territory of the United States or by a foreign country that requires a written examination substantially equivalent to the written examination provided for in A.R.S. § 32-1525.
- "Facility" means a health care institution as defined in A.R.S. § 36-401, office or clinic maintained by a health care institution or by an individual licensed under A.R.S. Title 32, Chapter 13, 14, 17, or 29, office or public health clinic maintained by a state or county, office or clinic operated by a qualifying community health center under A.R.S. § 36-2907.06, or an office or clinic operated by a corporation, association, partnership, or company authorized to do business in Arizona under A.R.S. Title 10.
- "Informed consent" means a document, signed by a patient or the patient's legal guardian, that verifies that the patient or legal guardian understands the type of treatment the patient is to receive, and whether the clinician is a physician, preceptee, or an intern who is treating the patient. If an experimental or investigational protocol is to be followed, the informed consent form shall clearly state that the patient understands the procedures to be carried out, the risks and benefits of the procedure, medication or device to be used, that the patient can withdraw at any time, that the patient is voluntarily complying, and that the protocol meets the requirements of the institutional review board that approves the protocol.
- "Institutional review board" means a group of persons that reviews investigational or experimental protocols and approves its use on animals or humans within an institution for the purposes of protecting the subjects of the investigational or experimental protocol from undue harm and assures that the research and its review is carried out according to guidelines of the United States Department of Health and Human Services, Office for Human Research Protection.
- "Internship" means clinical and didactic training by a doctor of naturopathic medicine certified by the Board, in an institution, certified by the Board.
- "License" means a document issued by the Board that entitles the individual to whom it is issued to practice naturopathic medicine.
- "National board" means any of the following:
 The Federation of State Medical Licensing Boards,
 The National Board of Chiropractic Examiners,
 The National Board of Medical Examiners,
 The National Board of Osteopathic Examiners, or
 The North American Board of Naturopathic Examiners
- "Preceptorship" means clinical training of not more than 24 months duration, by a person who holds a degree of doctor of naturopathic medicine, and is certified by the Board for preceptorship training.
- "Resident physician in training" means a person who holds a degree of doctor of naturopathic medicine and is certified by the Board to diagnose and treat patients under supervision in an internship, preceptorship, or a post doctoral training program.
- "Substantive review" means the Board's process for determining whether an applicant for licensure, certification, or approval meets the requirements of A.R.S. Title 32, Chapter 14 and this Chapter.
- "Supervise" means to be physically present and within sight or sound of a medical assistant, medical student, or an unlicensed resident physician in training, who is providing naturopathic medical care to a patient.
- "Supervision" means a supervisor assumes legal responsibility and has oversight of activities relating to the diagnosis and treatment of a patient and the acquiring, preparing, and dispensing of devices and natural substances to a patient by a medical assistant, nurse, medical student, or a preceptee.
- "Supervisor" means an individual licensed under A.R.S. Title 32, Chapter 13, 14, 17, or 29 who supervises a medical student or a preceptee, or a person licensed under A.R.S. Title 32, Chapter 14 who supervises a medical assistant or a nurse.

Historical Note

Adopted effective December 31, 1984 (Supp. 84-6). Amended effective December 29, 1995 (Supp. 95-4).
 Amended Section corrected Supp. 96-4 to reflect adopted Section on file with the Office of the Secretary of State effective December 31, 1984 (Supp. 84-6). Amended by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-102. Board Meetings; Elections; Officers

- A. The Board shall hold a regular meeting in January and July of each year. The officers shall be elected at the January meeting of the Board by majority vote of the Board members present at that meeting. The Board chairman shall preside at all Board meetings. If the chairman is disqualified or unable to attend, the Board vice-chairman shall

preside at the meeting. If the Board vice-chairman is disqualified or unable to attend, the Board secretary-treasurer shall preside at the meeting.

- B. If an officer's position becomes vacant, the Board shall elect a member of the Board to complete the term of office that is vacant.
- C. A Board member shall attend meetings scheduled by the Board. The Board may recommend to the Governor that a Board member who fails to attend three consecutive Board meetings be removed from the Board.

Historical Note

Adopted effective December 31, 1984 (Supp. 84-6). Amended by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-103. Duties of Board Committees

A committee appointed by the Board chairman shall make a report to the Board based on the findings or investigations of the committee and may make recommendations for further action by the Board.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-104. Repealed

Historical Note

Adopted effective December 31, 1984 (Supp. 84-6). Amended by adding a new subsection (H) effective June 18, 1987 (Supp. 87-2). Section repealed by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-105. Reserved

R4-18-106. Rehearing or Review of Decision

- A. Except as provided in subsection (G), any party who is aggrieved by a decision issued by the Board may file with the Board not later than 30 days after service of the decision, a written motion for rehearing or review of the decision specifying the particular grounds for the rehearing or review. For purposes of this Section, a decision is considered served when personally delivered or five days after mailing by certified mail to the party at the party's last known residence or place of business.
- B. A motion for rehearing or review under this Section may be amended at any time before it is ruled upon by the Board. A response may be filed within 15 days after service of the motion or amended motion by any other party. The Board may require the filing of written briefs upon the issue raised in the motion and may provide for oral argument.
- C. A rehearing or review of a decision may be granted by the Board for any of the following reasons materially affecting the party's rights:
 - 1. Irregularity in the proceedings of the Board, administrative law judge, or any abuse of discretion that deprives the moving party of a fair hearing;
 - 2. Misconduct of the Board or an administrative law judge;
 - 3. Accident or surprise that could not have been prevented by ordinary prudence;
 - 4. Newly discovered material evidence that could not, with reasonable diligence, have been discovered and produced at the hearing;
 - 5. Excessive or insufficient penalties;
 - 6. Error in the admission or rejection of evidence or other errors of law occurring at the hearing; or
 - 7. That the findings of fact or decision is not justified by the evidence, or is contrary to law.
- D. The Board may affirm or modify its decision or grant a rehearing or review, to all or any of the parties on all or part of the issues for the reasons specified in subsection (C). An order modifying a decision or granting a rehearing or review shall specify with particularity the grounds on which the rehearing or review is granted, and the rehearing or review shall cover only those matters specified.
- E. Not later than 35 days after the date a decision is rendered, the Board may, on its own initiative order a rehearing or review of its decision for any reason for which it might have granted a rehearing or review on motion of a party. After giving the parties or their counsel notice and an opportunity to be heard on the matter, the Board may grant a motion for rehearing or review, timely served, for a reason not stated in the motion. In either case, the order shall specify the grounds for rehearing and review.
- F. When a motion for rehearing is based upon affidavits, they shall be served with the motion. An opposing party may, within 15 days after service, serve opposing affidavits. The Board may extend this period for good cause.
- G. If the Board makes specific findings that the immediate effectiveness of the decision is necessary for the preservation of the public health and safety and determines that a rehearing or review of the decision is impracticable, unnecessary, or contrary to the public interest, the decision may be issued as a final decision without an opportunity for a rehearing or review. If a decision is issued as a final decision without an opportunity for rehearing or review, any application for judicial review of the decision shall be made within the time limits permitted for applications for judicial review of the Board's final decisions under A.R.S. Title 12, Chapter 7, Article 6.

Historical Note

Adopted effective December 31, 1984 (Supp. 84-6). Section repealed; new Section made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

Editor's Note: The following Section was adopted under an exemption from the provisions of A.R.S. Title 41, Chapter 6, pursuant to A.R.S. § 41-1005(25). Exemption from A.R.S. Title 41, Chapter 6 means the Board did not submit notice of proposed rulemaking to the Secretary of State for publication in the Arizona Administrative Register; the Board did not submit the rules to the Governor's Regulatory Review Council for review; and the Board was not required to hold public hearings on this Section (Supp. 99-3).

R4-18-107. Fees

A. Application fees are as follows:

1. Medical license, \$150
2. Certificate to dispense, \$150
3. Medical assistant certificate, \$100
4. Clinical training certificate, \$100
6. Preceptorship certificate, \$100

B. Arizona naturopathic jurisprudence examination, \$60

C. Annual renewal fees are as follows:

1. Medical license, \$110
2. Certificate to Dispense, \$150
3. Medical assistant certificate, \$100
4. Clinical training certificate, \$150
5. Preceptorship certificate, \$150

D. Late renewal fees are as follows:

1. Medical license, \$55
2. Certificate to dispense, \$75
3. Medical assistant certificate, \$50
4. Clinical training certificate, \$75
5. Preceptorship certificate, \$75

E. Other fees are as follows:

1. For a duplicate license or certificate, \$20
2. For photocopying Board records, documents, letters, applications, or files, \$5 or \$0.25 per page, whichever is greater
3. For each audio tape or computer disk containing information requested, \$25
4. For written verification of a license or certificate, \$5
5. For the costs in locating a person who is licensed or certified, Actual cost incurred by the Board
6. For each insufficient fund check, \$25

Historical Note

Adopted effective December 31, 1984 (Supp. 84-6). Amended as an emergency effective December 31, 1986, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 86-6). Emergency expired. Amended and adopted as a permanent rule effective June 18, 1987 (Supp. 87-2). Amended paragraph (3) effective November 10, 1988 (Supp. 88-4). Section repealed; new Section adopted by exempt rulemaking at 5 A.A.R. 2874, effective July 28, 1999 (Supp. 99-3). Amended by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-108. Titles, Use of Abbreviations

A. A physician issued a license by the Board may use any of the following titles or abbreviations:

1. Doctor of Naturopathic Medicine,
2. N.M.D.,
3. Doctor of Naturopathy,
4. N.D.,
5. Naturopath,
6. Naturopathic Physician, or
7. Naturopathic Medical Doctor.

B. A physician issued a license, or a graduate of a school approved by the Board, shall not use any of the following titles or abbreviations:

1. Doctor of medicine (naturopathic),
2. M.D.(N.), or
3. M.D.(naturopathic).

C. An unlicensed graduate of a Board approved school of naturopathic medicine who is certified by the Board to engage in preceptorship training shall use the designation "(Preceptee)" after any of the designations in subsection (A). The preceptee shall also ensure that any patient treated by the preceptee signs an informed consent treatment

form stating clearly that the preceptee is undergoing training, is not licensed, and identifying the name of the supervising physician.

- D. An unlicensed graduate of a Board approved school of naturopathic medicine who is certified by the Board to engage in internship training shall use the designation "(Intern)" after any of the designations in subsection (A). The intern shall ensure that any patient treated by the intern signs an informed consent treatment form stating clearly that the intern is undergoing training, is not licensed and identifying the name of the supervising physician.
- E. A person who is permanently retired under A.R.S. § 32-1528 may use any of the designations listed in subsection (A) if that person also uses the designation "(Retired)" after each designation.

Historical Note

Adopted effective December 31, 1984 (Supp. 84-6). Amended by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-109. Repealed

Historical Note

Adopted effective December 31, 1984 (Supp. 84-6). Section repealed by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-110. Display of Licenses and Certificates; Notice of Change of Status; Student Identification

- A. Each person licensed by the Board shall display that license, or a Board issued duplicate in a conspicuous place in each location in which the person conducts regular and ongoing patient care activity.
- B. A person, business, or institution regulated by the Board shall notify the Board of any change in the information provided to the Board concerning a license or certificate application or its renewal, including changes in name, address, place of practice, or actions taken against the licensee, for any reason, in any court or by any governmental regulatory body.
- C. Each person certified by the Board to engage in clinical training shall wear an identification card issued by the approved naturopathic medical school conducting the training that clearly identifies the person as a student, at all times that the person is involved in clinical training. An approved school may keep all certificates to engage in clinical training issued by the Board at a central location of the primary training facility, if it is easily available for public viewing.
- D. Each person, business, or institution that is issued a certificate by the Board shall display that certificate or a Board issued duplicate, in a conspicuous place at each location in which the person, business, or institution conducts regular and ongoing business activity.
- E. All notice requirements under this rule shall be in writing and made within 30 days of change of status.

Historical Note

Adopted effective December 31, 1984 (Supp. 84-6). Amended by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-111. Notice of Civil and Criminal Actions

- A. A person licensed or certified by the Board shall, within 10 days of receipt, notify the Board of any notice, subpoena, summons, or receipt of complaint, whether civil or criminal, arising directly or indirectly out of the person's conduct of the person's professional activities.
- B. To provide notice to the Board a person licensed or certified by the Board shall provide either a photocopy or facsimile copy of the notice or other service or a letter advising the Board of the nature of the cause of action allegations made, and the date, time, and place where appearance is required.

Historical Note

Adopted effective December 31, 1984 (Supp. 84-6). Amended by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-112. Reserved

R4-18-113. Reserved

R4-18-114. Reserved

R4-18-115. Reserved

R4-18-116. Repealed

Historical Note

Adopted effective December 31, 1984 (Supp. 84-6). Section repealed by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-117. Repealed

Historical Note

Adopted effective December 31, 1984 (Supp. 84-6). Section repealed by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

ARTICLE 2. LICENSES; SPECIALIST CERTIFICATES; CONTINUING MEDICAL EDUCATION; RENEWAL

New Article 2, consisting of Sections R4-18-201 through R4-18-206, made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

Article 2 consisting of Sections R4-18-201 through R4-18-205 has been deleted due to an error in publishing text that was thought to be adopted and certified but in fact was rejected by the Attorney General on December 29, 1995 (Supp. 95-4). Removal of this text reflects the latest effective rules on file with the Office of the Secretary of State last modified Supp. 88-4 (reprinted Supp. 96-4).

R4-18-201. Jurisprudence Examination

In addition to the requirements of R4-18-202 or R4-18-203, every applicant for licensure shall take and pass the Arizona Naturopathic Jurisprudence Examination, administered by the Board, with a minimum score of 75%. The examination shall consist of multiple-choice and true-false questions. If an applicant passes the jurisprudence examination to obtain a clinical training certificate under R4-18-501 and is under the continuous regulation of the Board after obtaining the clinical training certificate, the applicant is not required to take the examination again.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-202. License by Examination

In addition to the requirements of R4-18-201, an applicant for licensure by examination shall meet the requirements of A.R.S. Title 32, Chapter 14, and provide the Board:

1. A completed application form, provided by the Board that is signed and dated;
2. A copy of the applicant's examination record including the basic science examination, the clinical science examination, and additional clinical test sections of acupuncture, minor surgery, and homeopathy, sent directly to the Board by the North American Board of Naturopathic Examiners or its successor;
3. A complete transcript sent directly to the Board from the approved school of naturopathic medicine from which the applicant graduated. The transcript shall indicate the date of graduation and date of completion of clinical training;
4. A completed and legible fingerprint card; and
5. The fee specified in R4-18-107.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-203. License by Endorsement

In addition to requirements of R4-18-201, an applicant for a licensure by endorsement shall meet the requirements of A.R.S. Title 32, Chapter 14, and provide the Board:

1. A completed application form, provided by the Board that is signed and dated.
2. A document submitted directly to the Board by the agency by whom the applicant is licensed that is signed and dated by an official of the agency and contains:
 - a. The applicant's name,
 - b. The date of issuance of the license,
 - c. The current status of the license,
 - d. A statement of whether the applicant has ever been denied a license by the agency, and
 - e. A statement of whether any disciplinary action is pending or has ever been taken against the applicant.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-204. Specialist Certificate

To obtain a specialist certificate, a physician shall meet the requirements of A.R.S. Title 32, Chapter 14 and provide the Board:

1. A completed application form provided by the Board that is signed and dated,
2. The name and address of the approved specialty college or program at which the licensee completed postdoctoral specialty training and the date of completion, and
3. A letter from the specialty board that conducted the specialty examination verifying that the licensee is certified as a specialist in the specialty for which application is made.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-205. Continuing Medical Education Requirements

- A. Every calendar year, a physician shall complete 30 credit hours of approved continuing medical education activities. Ten credit hours shall be in pharmacology as it relates to the diagnosis, treatment, or prevention of disease. Eight credit hours shall be from programs approved by one or more of the organizations listed in subsection (B)(2). One hour of credit is allowed for every 50 minutes of participation in an approved continuing medical education activity unless otherwise noted in R4-18-205(B).
- B. The following are approved continuing medical education activities:
1. Education certified as Category I by an organization accredited by the Accreditation Council on Continuing Medical Education;
 2. Continuing medical educational programs in the clinical application of naturopathic medical philosophy that are approved by;
 - a. The American Association of Naturopathic Physicians or any of its constituent organizations,
 - b. The Arizona Naturopathic Medical Association, or
 - c. Any naturopathic licensing authority in the United States or Canada.
 3. One credit hour may be claimed for each eight hour day of training in an internship training program, a preceptorship training program, or a postdoctoral training program approved by the Board. A maximum of eight hours per year may be claimed in this manner.
 4. One credit hour, not to exceed eight credit hours, may be claimed for each eight hour day of research in subjects listed in A.R.S. § 32-1525(B), if the research is conducted by or sponsored by a school of naturopathic medicine that is accredited or a candidate for accreditation by:
 - a. The Council on Naturopathic Medical Education,
 - b. The Council for Higher Education Accreditation, or
 - c. An accrediting agency recognized by the United States Department of Education.
 5. One credit hour may be claimed for each hour serving as an instructor of naturopathic medical students or other physicians in a program approved by one of the organizations listed in subsection (B)(2), or a school approved by the Board. A maximum of eight hours may be claimed in this manner.
 6. A maximum of four credit hours may be claimed for preparing or writing for presentation or publication, a medically related paper, report, or book that is presented or published addressing current developments, skills, procedures, or treatment in the practice of naturopathic medicine. Credit may be claimed only for materials presented or published. Credit may be claimed once as of the date of publication or presentation.
 7. A maximum of eight credit hours may be earned for the following activities that provide necessary understanding of current developments, skills, procedures, or treatment related to the practice of naturopathic medicine if the physician maintains a record for at least three years that includes the name of the activity, the date of the activity, and the amount of time to complete the activity:
 - a. Self-instruction that utilizes videotapes, audiotapes, films, filmstrips, slides, radio broadcasts, or computers;
 - b. Independent reading of scientific journals and books;
 - c. Preparation for specialty board certification or re-certification examinations; or
 - d. Participation on a staff committee or quality of care or utilization review committee in a facility or government agency.
- C. The Board shall grant an extension of time to complete continuing medical education required in subsection (A) upon written application by a licensee if the licensee fails to meet the requirements due to illness, military service, medical or religious missionary activity, residence in a foreign country, or other extenuating circumstance. An extension, other than for military service, shall not exceed 90 days.
- D. An applicant for renewal of a license shall certify on the application for renewal, under penalty of perjury, that the applicant has met or will meet, before January 1, the continuing medical education requirements for the calendar year.
- E. Board staff shall annually select a minimum of ten percent of the active licensees for an audit of required continuing medical education. Failure to complete the required continuing medical education is considered unprofessional conduct.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-206. Renewal of a License

- A. To renew a license to practice naturopathic medicine, on or before January 1 of each year, a licensee shall submit a license application renewal form provided by the Board that allows the Board to determine whether the applicant continues to meet the requirements of A.R.S. Title 32, Chapter 14. If an applicant makes a timely and complete application for renewal of the applicant's license, the physician may continue to practice until the application is approved or denied by the Board.
- B. A licensee shall submit the license renewal fee required in R4-18-107 to the Board by mail or in person.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

ARTICLE 3. RESERVED

ARTICLE 4. APPROVAL OF SCHOOLS OF NATUROPATHIC MEDICINE

New Article 4, consisting of Sections R4-18-401 and R4-18-402, made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-401. Approval of a School of Naturopathic Medicine

The Board shall approve a school of naturopathic medicine if, in addition to the requirements of A.R.S. § 32-1501(8):

1. It is accredited or a candidate for accreditation by the Council on Naturopathic Medical Education, or its successor agency, and
2. It has complied with the requirements of the Arizona State Board of Private Post Secondary Education in A.R.S. Title 32, Chapter 30 and A.A.C. 4-39-101 through 4-39-603.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-402. Annual Renewal of an Approved School of Naturopathic Medicine

An approved school of naturopathic medicine shall be renewed by submitting on or before January 1 of each year, the information required by the Board that allows the Board to determine if the applicant continues to meet the requirements of A.R.S. § 32-1501(8) and of R4-18-401.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

ARTICLE 5. NATUROPATHIC CLINICAL TRAINING AND PRECEPTORSHIP TRAINING PROGRAM REQUIREMENTS

New Article 5, consisting of Sections R4-18-501 through R4-18-504, made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-501. Certificate to Engage in Clinical or Preceptorship Training

- A. To obtain a certificate to engage in clinical or preceptorship training, an applicant shall submit to the Board an application packet that includes a completed application form provided by the Board, that allows the Board to determine if the applicant meets the requirements of A.R.S. § 32-1524, signed and dated by the applicant, and the fee listed in R4-18-107.
- B. In addition to the requirements in subsection (A), a naturopathic medical student who applies for a certificate to engage in clinical training shall comply with the requirements of A.R.S. § 32-1560 and;
 1. Be attending an approved naturopathic medical school;
 2. Arrange to have submitted directly to the Board a letter from the chief medical officer of the medical school verifying that the applicant will be entering clinical training and the anticipated starting and completion dates;
 3. Provide a legible fingerprint card; and
 4. Take and pass the Arizona naturopathic jurisprudence examination with a minimum score of 75%.
- C. In addition to the requirements in subsection (A), an applicant for a certificate to engage in a preceptorship training program shall comply with the requirements of A.R.S. § 32-1561 and arrange to submit or have submitted directly to the Board:
 1. An official transcript from the approved naturopathic medical school from which the applicant graduated;
 2. A Board approved verification form, from the physician who will be responsible for the applicant's supervision and training;
 3. A legible fingerprint card;
 4. If licensed to practice naturopathic medicine in another jurisdiction, a copy of the license; and
 5. Proof of passing the Arizona naturopathic jurisprudence test with a minimum score of 75%.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-502. Annual Renewal of a Certificate to Engage in Clinical or Preceptorship Training

A holder of a certificate to engage in a clinical or preceptorship training shall renew the certification by submitting before the anniversary date of the certificate the appropriate fee and;

1. A completed form provided by the Board that allows the Board to determine whether the holder of the certificate continues to meet the requirements of A.R.S. Title 32 Chapter 14 and R4-18-501; and
2. A letter from the chief medical officer stating that the applicant is in good standing in the training program.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-503. Application for a Certificate to Conduct a Clinical or Preceptorship Training Program

A chief medical officer applying on behalf of a school of naturopathic medicine for a certificate to conduct clinical training, or on behalf of a preceptorship training program, shall submit to the Board the fee indicated in R4-18-107 and an application form provided by the Board, signed and dated by the chief medical officer, that contains:

1. The chief medical officer's name, mailing address, and telephone number;
2. The name and address of the training program and of each facility where training will be conducted;
3. The name, professional degree, license number, and licensing agency for each physician who will be providing supervision in the training program; and
4. A mission statement outlining the goals of the training program.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-504. Annual Renewal of Certificate to Conduct a Clinical or Preceptorship Training Program

A certificate to conduct clinical or preceptorship training shall be renewed before the anniversary date, by submitting the appropriate fee listed in R4-18-107 and a completed form.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

ARTICLE 6. NATUROPATHIC MEDICAL ASSISTANTS

R4-18-601. Definitions

In addition to the definitions in A.R.S. § 32-1501 and R4-18-101, the following definitions apply to this Article:

1. "Approved medical assistant program" means a course of study for medical assistants that is provided:
 - a. At an institution that is accredited by:
 - i. The Commission on Accreditation of Allied Health Education Programs,
 - ii. The Commission for the Accrediting Bureau of Health Education Schools, or
 - iii. An accrediting agency recognized by the United States Department of Education or the Armed Forces of the United States, or
 - b. By an organization recognized by the American Association of Naturopathic Physicians.
2. "Employ" means to compensate by money or other consideration for work performed.
3. "Medical history" means an account of an individual's past and present physical and mental health including the individual's illness, injury, or disease.
4. "Medication" means a drug as defined in A.R.S. § 32-1501 or a natural substance as defined in A.R.S. § 32-1581.
5. "Naturopathic practice" means a place where the practice of naturopathic medicine as defined in A.R.S. § 32-1501 takes place.
6. "Training" means classroom and clinical instruction completed by an individual as part of an approved medical assistant program.
7. "Treatment" means any of the acts included in the practice of naturopathic medicine as defined in A.R.S. § 32-1501.

Historical Note

New Section made by final rulemaking at 11 A.A.R. 1547, effective June 4, 2005 (Supp. 05-2).

R4-18-602. Medical Assistant Qualification

An individual shall complete an approved medical assistant program to qualify for certification as a medical assistant.

Historical Note

New Section made by final rulemaking at 11 A.A.R. 1547, effective June 4, 2005 (Supp. 05-2).

R4-18-603. Application for Medical Assistant Certification

An applicant for a medical assistant certificate shall submit an application packet to the Board that contains the following:

1. An application form provided by the Board, signed and dated by the applicant that contains:
 - a. The applicant's name, mailing address, telephone number, and Social Security number;
 - b. The applicant's date and place of birth;
 - c. The applicant's height, weight, and eye and hair color;
 - d. The name, address, and telephone number of the applicant's employer, if applicable;
 - e. The name of the licensed physician who will supervise the applicant;
 - f. The name and address of the institution where the applicant completed an approved medical assistant program;
2. A copy of a certificate of completion from an approved medical assistant program or a letter of completion from an approved medical assistant program signed by the person in charge of the approved medical assistant program;
3. A completed and legible fingerprint card; and
4. The fees required by the Board under A.R.S. § 32-1527.

Historical Note

New Section made by final rulemaking at 11 A.A.R. 1547, effective June 4, 2005 (Supp. 05-2).

R4-18-604. Renewal of Medical Assistant Certificate

An applicant for a renewal certificate shall submit to the Board:

1. A renewal form, provided by the Board, that is signed and dated by the applicant and contains the applicant's:
 - a. Name,
 - b. Social Security number,
 - c. Residence and naturopathic practice addresses, and
 - d. Telephone number; and
2. The fee required by the Board under A.R.S. § 32-1527.

Historical Note

New Section made by final rulemaking at 11 A.A.R. 1547, effective June 4, 2005 (Supp. 05-2).

R4-18-605. Authorized Procedures for Medical Assistants

A. A medical assistant may perform the following under the direct supervision of a physician:

1. Obtain a patient's medical history;
2. Obtain a patient's vital signs;
3. Assist a physician in performing a physical examination, surgical procedure, or treatment;
4. Perform a diagnostic test ordered by a physician including:
 - a. An electrocardiogram;
 - b. A peripheral vein puncture;
 - c. A capillary puncture;
 - d. Urine analysis;
 - e. A hematology test; or
 - f. Respiratory function testing;
5. Administer a medication:
 - a. By mouth; or
 - b. By subcutaneous or intra-muscular injection if the medical assistant received training on performing this type of administration from an approved medical assistant training program;
6. Monitor and remove an intravenous administration of a medication established by a supervising physician if the medical assistant received training on monitoring and removing an intravenous administration from an approved medical assistant training program.
7. Perform physiotherapy, which includes the following:
 - a. Whirlpool treatment,
 - b. Diathermy treatment,
 - c. Electronic stimulation treatment,
 - d. Ultrasound therapy,
 - e. Massage therapy,
 - f. Traction,
 - g. Transcutaneous nerve stimulation,
 - h. Colon hydrotherapy, or
 - i. Hot and cold pack treatment.

B. A medical assistant shall not:

1. Diagnose a medical condition;
2. Design or modify a treatment program;
3. Prescribe a medication or natural substance;
4. Provide a patient with a prognosis;
5. Unless authorized by law, perform:
 - a. An ionizing radiographic procedure,
 - b. A surgical procedure,
 - c. A central venous catheterization,
 - d. An acupuncture needle insertion, or
 - e. Manipulative therapy;
6. Administer or establish an intravenous medication;
7. Perform any procedure that requires precise placement of a needle into a patient by single or multiple injections including:
 - a. Sclerotherapy,
 - b. Prolotherapy,
 - c. Mesotherapy, or
 - d. Neurotherapy; or
8. Employ the medical assistant's supervising physician or have any financial interest in a naturopathic practice where the supervising physician is employed.

- C. While assisting a naturopathic physician or performing a procedure delegated to the medical assistant, the medical assistant shall wear a clearly visible tag that states the individual is a medical assistant.

Historical Note

New Section made by final rulemaking at 11 A.A.R. 1547, effective June 4, 2005 (Supp. 05-2).

ARTICLE 7. TIME-FRAMES FOR BOARD DECISIONS

New Article 7, consisting of Sections R4-18-701 and Table 1, made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-701. Time-frames for Board Decisions

- A. The overall time-frame described in A.R.S. § 41-1072(2) for each type of license, certification, or approval granted by the Board is listed in Table 1. The applicant and the Executive Director of the Board may agree in writing to extend a substantive review and overall time-frame by no more than 25 percent of the overall time-frame listed in Table 1.
- B. The administrative completeness review time-frame described in A.R.S. § 41-1072(1) for each type of license, certification, and approval granted by the Board is listed in Table 1.
1. The administrative completeness review time-frame begins on the day the Board receives the application form and the appropriate fee.
 2. If the application packet is incomplete, the Board shall send to the applicant a written notice specifying the missing document or incomplete information.
 3. The administrative completeness review time-frame and the overall time-frame are suspended from the date on the Board's notice until the date the Board office receives all missing information.
- C. The substantive review time-frame described in A.R.S. § 41-1072(3) for each type of license, certification, and approval granted by the Board is listed in Table 1.
1. The substantive review time-frame begins on the date of the Board's notice of administrative completeness.
 2. If the Board determines that additional information or documentation is required, the Board shall send to the applicant a written request for that additional information or documentation.
 3. The time-frame for the substantive review is suspended from the date the request for additional information or documentation is sent to the applicant, until the date on which all of the requested information is received.
 4. The Board shall notify the applicant of the dates of all Board meetings at which the application will be considered.
 5. The Board shall send a written notice of approval or denial to applicants within ten working days of the Board meeting at which the decision is made. An applicant may request a hearing on the decision within 30 days of the Board's action.
- D. The Board shall consider an application withdrawn if within 360 days from the date of application the applicant fails to:
1. Supply the missing information requested under subsection (B)(2) or (C)(2); or
 2. If applicable, take and obtain a minimum score of 75% on the Arizona Naturopathic Jurisprudence Examination.
- E. During the administrative review period, an applicant may withdraw an application by requesting withdrawal in writing. During the substantive review period, the Board shall decide whether to grant a request to withdraw.
- F. An applicant shall send written notice to the Board within 10 days from the date of any change of applicant's address.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

Table 1. Time-frames

Type of Approval	Statutory Authority	Administrative Completeness Time-frame	Substantive Review Time-frame	Overall Time-frame
License by Examination (R4-18-202)	A.R.S. §§ 32-1504(A), 32-1522, 32-1523, 32-1523.01, 32-1524	90 days	90 days	180 days
License by Endorsement (R4-18-203)	A.R.S. §§ 32-1504(A), 32-1523	60 days	60 days	120 days
Specialist Certificate (R4-18-204)	A.R.S. §§ 32-1504(B)(3), 32-1529	60 days	60 days	120 days
Annual Renewal of License (R4-18-206)	A.R.S. §§ 32-1504(A), 32-1526	30 days	60 days	90 days

Certificate to Dispense	A.R.S. §§ 32-1504(A), 32-1581	30 days	60 days	90 days
Annual Renewal of Certificate to Dispense	A.R.S. §§ 32-1504(A), 32-1581	30 days	60 days	90 days
Certificate to Engage in a Clinical, Preceptorship, Internship, or Postdoctoral Training Program (R4-18-501)	A.R.S. §§ 32-1504(A), 32-1560, 32-1561	30 days	60 days	90 days
Annual Renewal of Certificate to Engage in a Clinical, Preceptorship, Internship, or Postdoctoral Training Program (R4-18-502)	A.R.S. §§ 32-1504(A), 32-1560, 32-1561	30 days	60 days	90 days
Certificate to Conduct a Clinical, Preceptorship, Internship, or Postdoctoral Training Program (R4-18-503)	A.R.S. §§ 32-1501, 32-1504(A)	30 days	60 days	90 days
Annual Renewal of Certificate to Conduct a Clinical, Preceptorship, Internship, or Postdoctoral Training Program (R4-18-504)	A.R.S. § 32-1504(A)	30 days	60 days	90 days
Medical Assistant Certificate	A.R.S. §§ 32-1504(A), 32-1559	30 days	60 days	90 days
Annual Renewal of Medical Assistant Certificate	A.R.S. §§ 32-1504(A), 32-1559	30 days	60 days	90 days

Historical Note

New Table made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

ARTICLE 8. EXPERIMENTAL MEDICINE

New Article 8, consisting of Sections R4-18-801 and R4-18-802, made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-801. Experimental Medicine

A procedure, medication, or device is experimental if;

1. An Institutional Review Board exists for a particular procedure, medication, or device; or
2. The procedure, medication, or device is not generally considered to be within the accepted practice standards for the naturopathic profession.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).

R4-18-802. Informed Consent and Duty to Follow Protocols

- A. A physician, medical student engaged in an approved clinical training program, preceptee, or intern who conducts research involving an experimental procedure, medication, or device, shall ensure that all research subjects give informed consent to participate.
- B. A physician, medical student engaged in an approved clinical training program, preceptee, or intern, that conducts research on humans involving an experimental procedure, medication, or device shall have a protocol for that research approved by an Institutional Review Board.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 3702, effective August 9, 2002 (Supp. 02-3).